



## **HB – Highway Business District**

### **Section 7-8-16 – Unified Development Ordinance City of Asheville Zoning Districts**

(a) *Purpose.* The Highway Business District is established to address the needs of commercial development along major thoroughfares. Automobile oriented development is prevalent within this district and a wide range of commercial uses is permitted. Due to the dominance of the automobile, a major objective within this district is to preserve the traffic capacity of the thoroughfare. This is attempted through minimizing the number of access points onto the thoroughfare, encouraging zero-lot line development, and promoting shared parking and access between adjacent businesses. Development which enhances the function of the thoroughfare and is sensitive to the appearance of the corridor is essential within this district. These major corridors are the gateways to Asheville and often define the first image of the city.

(b) *Permitted uses.*

#### **Residential.**

- Accessory apartments
- Dwellings, multi-family
- Dwellings, single-family detached
- Dwellings, single-family zero lot line

#### **Recreational.**

- Arboretums
- Camps, campgrounds
- Golf courses
- Passive parks
- Recreational uses, governmental
- Recreational uses, commercial indoor
- Recreational uses, commercial outdoor
- Recreational uses, related to residential development
- Recreational uses, restricted to membership, non-profit

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Institutional.

- Adult day care centers
- Adult day care homes
- Armories
- Assisted living facilities
- Child day care centers
- Child day care homes
- Civic, social service, and fraternal facilities
- Colleges and universities
- Dormitories
- Family care homes
- Fraternity and sorority houses
- Group homes
- Hospitals and medical centers
- Orphanages
- Places of worship
- Schools
- Shelters
- Vocational and training schools

Public/semi-public.

- Amphitheaters and auditoriums
- Community centers
- Convention and conference centers
- Exhibition halls
- Fire/police stations
- Government buildings
- Libraries
- Museums
- Post offices
- Public utilities and related facilities
- Transportation terminals

Office/business.

- Automobile, truck, and utility trailer rental
- Automobile sales, new and used
- Automobile service stations
- Bakeries
- Barber shops and salons
- Bars, nightclubs
- Bed and breakfast homestays
- Bed and breakfast inns
- Bicycle shops
- Boardinghouses

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Bookstores  
Candy, pastry, ice cream and snack shops  
Car washes  
Clinics, medical, dental, psychiatric, optical  
Clinics, veterinary  
Convenience stores  
Copying centers  
Delicatessens  
Distributive businesses  
Financial institutions  
Florists  
Fruit and vegetable markets  
Funeral establishments  
Gift shops  
Grocery stores  
Hardware/garden supply stores  
Health and fitness facilities  
Heavy equipment and specialized vehicle sales, rental and service  
Home occupations  
Industrial equipment sales  
Instructional services  
Kennels  
Laboratories  
Laundry and dry cleaning establishments  
Live-work units  
Lodging facilities  
Manufactured home sales and servicing  
Motor vehicle and boat service and repair  
Offices  
Pharmacies  
Plant nurseries, sales and greenhouses  
Printing and publishing  
Radio and television studios  
Recreational vehicle sales and servicing  
Rental businesses  
Research and technology production uses  
Residential related commercial services  
Restaurants  
Retail gasoline sales  
Retail sales  
Self-service storage facilities  
Studios, galleries and workshops for artists, designers, photographers

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- Tailors/dressmaker shops
- Tattoo parlors
- Taxi stands
- Theaters
- Video rental stores
- Wedding chapels, commercial
- Wholesale sales

Other.

- Accessory structures
- Cemeteries, columbariums
- Parking decks
- Parking lots
- Commercial satellite dishes and related equipment

(c) *Prohibited uses.* Any use not specifically listed as a permitted use or a use by right, subject to special requirements, or a conditional use in the Highway Business District is prohibited.

Gated communities. This shall not include those gated communities lawfully established prior to June 12, 2007, or extend to those properties acquired as part of such communities prior to June 12, 2007, provided it can be demonstrated that these properties were included in a documented community masterplan.

(d) *Uses by right, subject to special requirements.*

- Antenna
- Crematories for human remains
- Recycling collection centers
- Repair and service businesses
- Townhouses
- Wireless telecommunication facilities, concealed
- Wireless telecommunication facilities, co-located
- Wireless telecommunication facilities, microcell

(e) *Conditional uses.*

- Adult establishments
- Level III project incorporating uses permitted in the Highway Business District.
- Single tenant retail structures and multi-tenant retail structures with a gross floor area of more than 100,000 square feet.
- Telecommunication towers

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(f) *Development standards.*

- (1) *Density standards.* The maximum residential density per acre within the Highway Business District shall be 32 dwelling units.
- (2) *Structure size standards.* New developments in the highway business district shall not exceed a total of 200,000 square feet in gross floor area for multiple tenant developments and 100,000 square feet in gross floor area for single tenant development; existing developments shall not be expanded to exceed these limits. In multi-tenant developments, no single retailer may exceed those limits set forth in subsection 7-16-2(c)(10) and shall not constitute more than 75 percent of the total gross floor area of the development in order to receive a multi-tenant square footage allowance.
- (3) *Lot size standards.* None.
- (4) *Lot width standards.* There shall be no minimum lot width standard, however, the minimum lot frontage shall be 100 lineal feet. For through and corner lots, the minimum street frontage shall be required along the property line abutting the larger thoroughfare.
- (5) *Setback standards.* The following minimum setbacks shall be required for uses in the Highway Business District.

Front: 35 feet, except that the minimum setback may be reduced to five feet in pedestrian-oriented areas where road widening is not anticipated provided that all parking is located to the side or rear and not closer to the street than the facade of the principal structure, and where pedestrian-oriented design features are incorporated in building and site design.

Side: None required

Rear: 10 ft.

Corner lot, street side: 25 ft.

The landscape and buffering standards (section 7-11-3) may require additional setback; if so, the most restrictive requirement shall apply.

The minimum spacing between structures shall, in addition, be

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as per the Asheville Fire Prevention Code.

- (6) *Impervious surface standards.* None.
- (7) *Height standards.* The maximum height of structures in the Highway Business District shall be 60 feet.
- (8) *Landscaping/buffering standards.* Landscaping and/or buffering shall be provided as required by section 7-11-3 of this chapter.
- (9) *Parking/loading standards.* Parking and loading facilities shall be provided as required by section 7-11-2 of this chapter.
- (10) *Sidewalk standards.* Sidewalks shall be provided as required by and pursuant to the requirements for sidewalks as set forth in section 7-11-8 of this chapter.
- (11) *Access standards.* Points of access to the street shall be determined by the city traffic engineer following review of the site plan and other relevant information.
- (12) *Recreational/open space standards.* Open space shall be provided as required by section 7-11-4 of this chapter.
- (13) *Design and operation standards.* None required.
- (14) *Emergency wireless communications.* Communication requirements shall be provided as required by section 7-11-9 of this chapter.

(Ord. No. 2369, § 1, 5-27-97; Ord. No. 2462, §§ 1(a), 2, 4-14-98; Ord. No. 2539, § 1, 1-26-99; Ord. No. 2649, § 1(a), 12-21-99; Ord. No. 2663, § 1(g), 2-8-00; Ord. No. 2664, § 1(p), 2-8-00; Ord. No. 2904, § 1(p), 3-12-02; Ord. No. 3002, § 1b, 2-25-03; Ord. No. 3010, § 1(c), 3-25-03; Ord. No. 3156, § 1, 8-24-04; Ord. No. 3209, § 1b, 1-25-05; Ord. No. 3272, § 1(b), 7-26-05; Ord. No. 3337, § 1(b), (c), 2-28-06; Ord. No. 3390, § 1(b), 9-12-06; Ord. No. 3483, § 1(b), 6-2-07; Ord. No. 3582, § 1(b), 2-12-08; Ord. No. 3583, § 1(a), 2-12-08; Ord. No. 3643, § 1a, 7-22-08)

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